

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/719,792	MONROE, DAVID A.	
	<b>Examiner</b>	<b>Art Unit</b>	
	FATOUMATA TRAORE	2436	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Communications filed 06/02/2009 and phone interview on 06/18/2009.
2. ☒ The allowed claim(s) is/are 1-6,8-11,13-20,23-34 and 37-40.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application   |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>6/18/09</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                        |
|  | 9. <input type="checkbox"/> Other _____.  |

/David García Cervetti/  
 Primary Examiner, Art Unit 2436

### **DETAILED ACTION**

1. This is in response to the amendment filed June/02/2009. Claims 1, 19, 23, 24, 31 and 32 have been amended. Claims 7, 12, 21, 22, 35 and 36 have been cancelled. Claims 1-6, 8-11, 13-20, 23-34 and 37-40 are pending and have been considered below.

### ***Response to Arguments***

2. Applicant's arguments pages 12-18, filed 12/18/2008 with respect to the prior art rejection of the claims have been fully considered and they are persuasive as amended.

### **EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jeffrey D. Hunt, Reg. No. 38,189 on 06/18/2009.

The application has been amended as follows:

Amend the following paragraph of claim 19:

a network stack in communication with the at least one compressor, the network stack being configured to transmit to the internet protocol network the at least one set of unique

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facial image data for each detected face the network stack being configured to transmit to the internet protocol network the at least one set of compressed image data;

wherein the at least one set of unique facial image data for each detected face can be provided from the at least one camera to the IP network.

Amend the following paragraph of claim 37:

37. (previously presented) A camera according to claim ~~32~~ 33 and further comprising:

the at least one set of compressed image data including at least one set of low resolution compressed image data having a respective low resolution and at least one set of high resolution compressed image data having a respective high resolution, the low resolution being less than the high resolution.

**Replace the abstract with the following:**

Embodiment provide a surveillance camera adapted to be connected to an internet protocol network, the surveillance camera including at least one facial processor, at least one facial recognition algorithm embodied in suitable media, at least one facial recognition algorithm executable with digital format image data by at least one facial processor detecting faces, execution of at least one facial recognition algorithm producing unique facial image data, execution of at least one facial separation algorithm producing facial separation data, at least one facial processor in communication with at least one facial signature database to obtain reference data, execution of at least one facial signature algorithm comparing facial separation data and reference data to identify correlations, at least one compression algorithm producing compressed

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image data, and a network stack configured to transmit to the network unique facial image data for each detected face and compressed image data.

*Allowance*

4. Claims 1-6, 8-11, 13-20, 23-34 and 37-40 are allowed.

*Examiner's Statement of Reason for allowance*

5. The following is an examiner's statement of reasons for allowance:

Kyle (US 6,853,739) is directed to a biometric data entry device 21, such as a camera (col. 7, lines 16- 24), which is connected to a communications control device 28, such as an Ethernet camera server device and an interconnecting main board 38. The Ethernet camera server device 30 is connected to an Ethernet network to communicate with a CPU 15 or server 34 (FIG. 4, col. 9, lines 38-41, and col. 10, lines 8-12). Biometric recognition software resides on the CPU 15 or a server 34. Thus, data is transmitted over the Ethernet network to the CPU 15 or server 34 for processing by the biometric recognition software, which resides on CPU 15 or server 34.

6. The prior art of record taken alone or in combination do not teach or render obvious the limitations as recited in independent claim 1. The cited references, whether alone or in combination fail to disclose or suggest the following limitation: *"the at least one camera having at least one facial processor in communication with the analog to digital converter for receiving the digital format image data, the at least one facial processor being configured to execute with the digital format image data at least one facial recognition algorithm, execution of the at least*

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*one facial recognition algorithm with the digital format image data detecting faces when present in the digital format image data, execution of the at least one facial recognition algorithm providing for each detected face at least one set of unique facial image data .... the network protocol stack being configured for transmitting to the IP network for each detected face the at least one set of unique facial image data". "the at least one facial signature processor being configured to receive from the IP network for each detected face the at least one set of unique facial image data".*” wherein the at least one set of unique facial image data for each detected face is provided from the at least one camera to the IP network, such that the at least one set of unique facial image data of each detected face is received by the at least one facial signature processor to be compared with the at least one facial recognition database without preceding transmission of the digital format image data from the at least one camera over the IP network"

The prior arts of record , 6,853,739 to Kyle, 6,940,545 to Ray et al, 2002/0051061 to Peters, 6,584,082 to Willis et al, fail to teach singly or in combination the limitations above as recited in independent claim 1. The other independent claims 19, 31 and 32 recite similar limitations. Consequently, claims 1-6, 8-11, 13-20, 23-34 and 37-40 are allowable over the prior arts of record.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FATOUMATA TRAORE whose telephone number is (571)270-1685. The examiner can normally be reached on Monday- Friday (every other Friday off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on 571 272 4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Friday, June 19, 2009

/F. T./

Examiner, Art Unit 2436

/David García Cervetti/

Primary Examiner, Art Unit 2436